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"Mahoney, Kenneth" <kmahoney@blm.gov>

From: "Mahoney, Kenneth" <kmahoney@blm.gov>
Sent: Thu May 25 2017 15:33:09 GMT-0600 (MDT)
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To:
Subject: FYI Only: information that has been requested for Monuments Review
Attachments: Initial Data Request Related to Review of National Monuments.docx Additional Information Requested Template_5_22_2017.docx DOI ExecOrder 13792.pdf

FYI only.

As mentioned in 930 Division meeting this past Tuesday, information has been requested through WO-410 in response to Executive Order 13792. The outlines of information requested at this time is attached. Field offices are gathering the information and it has to be compiled for WO use by COB May 31.

"Johnson, Michael" <mdjohnso@blm.gov>

From: "Johnson, Michael" <mdjohnso@blm.gov>
Sent: Thu May 25 2017 15:41:36 GMT-0600 (MDT)
To: "Mahoney, Kenneth" <kmahoney@blm.gov>
Re: FYI Only: information that has been requested for Monuments

Subject:

Review

Thanks Ken. This one:

1. Information on activities that likely would have occurred annually from the date of designation to the present **if the Monument had not been designated**

requests out and out speculation. Is that even legal?

MJ

On Thu, May 25, 2017 at 2:33 PM, Mahoney, Kenneth <kmahoney@blm.gov> wrote:
FYI only.

As mentioned in 930 Division meeting this past Tuesday, information has been requested through WO-410 in response to Executive Order 13792. The outlines of information requested at this time is attached. Field offices are gathering the information and it has to be compiled for WO use by COB May 31.

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Michael Johnson

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Call for Data Related to Review of National Monuments under EO 13792 (April 26, 2017)

Please help us gather information about each of the items listed below, for each of the National Monuments listed below in Table 1.

1. Documents Requested
 - a. Resource Management Plans/Land Use Plans
 - b. Record of Decision
 - c. Public Scoping Documents
 - d. Presidential Proclamation
2. Information on activities permitted at the Monument, including annual levels of activity from the **date of designation to the present**
 - a. Recreation - annual visits to site
 - b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - c. Minerals - annual mineral production on site
 - d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - e. Grazing - annual grazing on site (AUMs permitted and sold)
 - f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
3. Information on activities occurring during the **5 years prior to designation**
 - a. Recreation - annual visits to site
 - b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - c. Minerals - annual mineral production on site
 - d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - e. Grazing - annual grazing on site (AUMs permitted and sold)
 - f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
4. Information on activities that likely would have occurred annually from the date of designation to the present **if the Monument had not been designated**
 - a. Recreation - annual visits to site
 - b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - c. Minerals - annual mineral production on site
 - d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - e. Grazing - annual grazing on site (AUMs permitted and sold)

- f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
- 5. Changes to boundaries - dates and changes in size
- 6. Public Outreach prior to Designation - outreach activities conducted and opportunities for public comment
- 7. Terms of Designation

Table 1. List of National Monuments Included in Review (per DOI Press Release dated May 5, 2017)

National Monument	Location	Managing Agency
Basin and Range	Nevada	BLM
Bears Ears	Utah	BLM, USFS
Berryessa Snow Mountain	California	USFS, BLM
Canyons of the Ancients	Colorado	BLM
Carrizo Plain	California	BLM
Cascade Siskiyou	Oregon	#N/A
Craters of the Moon	Idaho	NPS, BLM
Giant Sequoia	California	USFS
Gold Butte	Nevada	BLM
Grand Canyon-Parashant	Arizona	BLM, NPS
Grand Staircase-Escalante	Utah	BLM
Hanford Reach	Washington	FWS, DOE
Ironwood Forest	Arizona	BLM
Mojave Trails	California	BLM
Organ Mountains-Desert Peaks	New Mexico	BLM
Río Grande del Norte	New Mexico	BLM
Sand to Snow	California	BLM, USFS
San Gabriel Mountains	California	USFS
Sonoran Desert	Arizona	BLM
Upper Missouri River Breaks	Montana	BLM
Vermilion Cliffs	Arizona	BLM
Katahdin Woods and Waters	Maine	NPS
Marianas Trench	CNMI/Pacific Ocean	FWS
Northeast Canyons and Seamounts	Atlantic Ocean	NOAA, FWS
Pacific Remote Islands	Pacific Ocean	FWS
Papahānaumokuākea	Hawai'i/Pacific Ocean	NOAA, FWS
Rose Atoll	American Sāmoa/Pacific Ocean	FWS

**New Information Requested on Executive Order on the Review
of Designations Under the Antiquities Act**

BLM Responses to Additional Questions for [Name] National Monument

- a) Any legislative language, including legislation in appropriations bills

[Identify if there is any related legislation regarding your monument]

- b) Alternative options available for protection of resources applicable at each monument, such as Native American Graves Protection and Repatriation Act, Paleontological Resources Preservation Act, Archaeological Resources Protection Act, Historic Preservation Act and agency-specific laws and regulations.

The following could provide some options to protect specific resources found in [Name] National Monument. Protection would likely occur on a site-by-site or resource-by-resource basis and also would take a significant amount of time to accomplish under these various laws. These laws may not provide a mechanism to protect all cultural or tribal resources in [Name] National Monument. [Provide any specific information or examples for your monument.]

National Historic Preservation Act, (NHPA)

Native American Graves Protection and Repatriation Act, (NAGPRA)

Paleontological Resources Preservation Act, (PRPA)

Archaeological Resources Protection Act, (ARPA)

American Indian Religious Freedom Act (AIRFA)

- c) Designated wilderness areas (name, acreage), Wilderness Study Areas (name if there is one, acreage, type), and/or areas managed to preserve wilderness or roadless characteristics that are not WSAs.

[Insert monument specific response]

- d) Outstanding R.S. 2477 claims within a monument – type of road claimed and history

[Insert monument specific response]

- e) Maps

[Insert monument specific response]

- f) Cultural or historical resources, particularly Tribal, located near a monument but not within the boundary that might benefit from inclusion in the monument

[Insert monument specific response]

- g) Other – general questions or comments

[Insert monument specific response regarding any other information that should be considered in the review of your monument]

DEPARTMENT OF THE INTERIOR**Office of the Secretary**

Docket No. DOI-2017-0002

Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment

AGENCY: Office of the Secretary, Interior.

ACTION: Notice; Request for comments.

SUMMARY: The U.S. Department of the Interior is conducting a review of certain National Monuments designated or expanded since 1996 under the Antiquities Act of 1906 in order to implement Executive Order 13792 of April 26, 2017. The Secretary of the Interior will use the review to determine whether each designation or expansion conforms to the policy stated in the Executive Order and to formulate recommendations for Presidential actions, legislative proposals, or other appropriate actions to carry out that policy. This Notice identifies twenty-seven National Monuments under review and invites comments to inform the review.

DATES: To ensure consideration, written comments relating to the Bears Ears National Monument must be submitted before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Written comments relating to all other National Monuments must be submitted before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit written comments online at <http://www.regulations.gov> by entering "DOI-2017-0002" in the Search bar and clicking "Search," or by mail to Monument Review, MS-1530, U.S. Department of the Interior, 1849 C Street NW, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Randal Bowman, 202-208-1906,
RR_Bowman@ios.doi.gov.

SUPPLEMENTARY INFORMATION: Executive Order 13792 of April 26, 2017 (82 FR 20429, May 1, 2017), directs the Secretary of the Interior to review certain National Monuments designated or expanded under the Antiquities Act of 1906, 54 U.S.C. 320301-320303 (Act). Specifically, Section 2 of the Executive Order directs the Secretary to conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of the order. Among other provisions, Section 1 states that designations should reflect the Act's "requirements and original objectives" and "appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities." 82 FR 20429 (May 1, 2017).

In making the requisite determinations, the Secretary is directed to consider:

- (i) the requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";
- (ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";

- (iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
- (iv) the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;
- (v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;
- (vi) the availability of Federal resources to properly manage designated areas; and
- (vii) such other factors as the Secretary deems appropriate.

82 FR 20429-20430 (May 1, 2017).

The National Monuments being initially reviewed are listed in the following tables.

**NATIONAL MONUMENTS BEING INITIALLY REVIEWED PURSUANT TO
CRITERIA IN EXECUTIVE ORDER 13792**

Monument	Location	Year(s)	Acreage
Basin and Range	Nevada	2015	703,585
Bears Ears	Utah	2016	1,353,000
Berryessa Snow Mountain	California	2015	330,780
Canyons of the Ancients	Colorado	2000	175,160
Carrizo Plain	California	2001	204,107
Cascade Siskiyou	Oregon	2000/2017	100,000
Craters of the Moon	Idaho	1924/2000	737,525
Giant Sequoia	California	2000	327,760
Gold Butte	Nevada	2016	296,937
Grand Canyon-Parashant	Arizona	2000	1,014,000
Grand Staircase-Escalante	Utah	1996	1,700,000
Hanford Reach	Washington	2000	194,450.93
Ironwood Forest	Arizona	2000	128,917
Mojave Trails	California	2016	1,600,000
Organ Mountains-Desert Peaks	New Mexico	2014	496,330
Rio Grande del Norte	New Mexico	2013	242,555
Sand to Snow	California	2016	154,000
San Gabriel Mountains	California	2014	346,177
Sonoran Desert	Arizona	2001	486,149
Upper Missouri River Breaks	Montana	2001	377,346
Vermilion Cliffs	Arizona	2000	279,568

**NATIONAL MONUMENTS BEING REVIEWED TO DETERMINE WHETHER THE
DESIGNATION OR EXPANSION WAS MADE WITHOUT ADEQUATE PUBLIC
OUTREACH AND COORDINATION WITH RELEVANT STAKEHOLDERS**

Katahdin Woods and Waters	Maine	2016	87,563
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The Department of the Interior seeks public comments related to: (1) Whether national monuments in addition to those listed above should be reviewed because they were designated or expanded after January 1, 1996 “without adequate public outreach and coordination with relevant stakeholders;” and (2) the application of factors (i) through (vii) set forth above to the listed national monuments or to other Presidential designations or expansions of designations meeting the criteria of the Executive Order. With respect to factor (vii), comments should address other factors the Secretary might consider for this review.

In a separate but related process, certain Marine National Monuments will also be reviewed. As directed by section 4 of Executive Order 13795 of April 28, 2017, “Implementing an America-First Offshore Energy Strategy” (82 FR 20815, May 3, 2017), the Department of Commerce will lead the review of the Marine National Monuments in consultation with the Secretary of the Interior. To assist in that consultation, the Secretary will accept comments related to the application of factors (i) through (vii) in Executive Order 13792 as set forth above to the following Marine National Monuments:

**MARINE NATIONAL MONUMENTS BEING REVIEWED PURSUANT TO
EXECUTIVE ORDERS 13795 AND 13792**

Marianas Trench	CNMI/Pacific Ocean	2009	60,938,240
Northeast Canyons and Seamounts	Atlantic Ocean	2016	3,114,320
Pacific Remote Islands	Pacific Ocean	2009	55,608,320

Papahānaumokuākea	Hawaii	2006/2016	89,600,000
Rose Atoll	American Samoa	2009	8,609,045

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

AUTHORITY: E.O. 13792, 82 FR 20429 (May 1, 2017).

James Cason
Special Assistant
Delegated the Functions, Duties, and Responsibilities of the Deputy Secretary